

REMARKS/ARGUMENTS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 1-20, 37, and 38 are pending in this application. Claims 1, 8, and 15-20 are amended, Claims 21-36 are canceled, and new Claims 37 and 38 are added without prejudice or disclaimer by the present amendment. As amended Claims 1, 8, and 15-20 and new Claims 37 and 38 are supported by the original disclosure,<sup>1</sup> no new matter is added.

In the outstanding Official Action, Claims 1-5, 7, 15, 17, 19, 21, 22, 25, 26, 29, 30, 33, and 34 were rejected under 35 U.S.C. §103(a) as unpatentable over Yamagishi et al. (U.S. Patent No. 7,136,096, hereinafter “Yamagishi”) in view of Bender et al. (U.S. Patent No. 6,611,629, hereinafter “Bender”); Claim 6 was rejected under 35 U.S.C. §103(a) as unpatentable over Yamagishi in view of Bender and further in view of Miyatake et al. (U.S. Patent No. 6,466,262, hereinafter “Miyatake”); Claims 8-14, 16, 18, 20, 23, 24, 27, 28, 31, 32, 35, and 36 were rejected under 35 U.S.C. §103(a) as unpatentable over Yamagishi in view of Bender and further in view of Fukushima et al. (U.S. Patent No. 5,903,303, herein “Fukushima”).

With respect to the rejection of Claim 1 as unpatentable over Yamagishi in view of Bender, that rejection is respectfully traversed.

Amended Claim 1 recites, “wherein said operation instruction signals include translation instructions input by a user to move a first image with respect to the image data obtained by said photographing unit for monitoring after the first image and the image data obtained by said photographing unit for monitoring are displayed by the display unit.”

Thus, in the invention recited in amended Claim 1, the display unit displays both a first image taken by the camera and the image data for monitoring (the image data of what

---

<sup>1</sup>See, e.g., the specification at page 11, line 21 to page 12, line 3 and Figure 3.

the camera is currently pointed at). The user can then input translation instructions to move the first image with respect to the monitoring image data. In one embodiment, the user then snaps a picture of the monitoring image to create a second image, which can then be combined with the first image.

The outstanding Office Action cited Figure 14B of Yamagishi as describing this feature with respect to Claim 21. However, Yamagishi describes an image processing apparatus 100 that does not include *any* operational instruction inputting unit which provides operational instruction signals including translation instructions, as conceded by the outstanding Office Action.<sup>2</sup> The outstanding Office Action cited Bender as describing this feature. However, Bender describes manipulating multiple images on a PC, *not* a camera. Although the outstanding Office Action noted that Anderson et al. describes running PC software on a camera, this does not cure the above noted deficiencies of Yamagishi and Bender, as there is no motivation in either Bender or Anderson et al. to modify the device of Yamagishi to translate a first image with respect to a *monitor image*. Both Bender and Anderson et al. describe software that runs on a *PC*, which *cannot* provide a monitor image, much less move a first image with respect to a monitor image. Therefore, none of Yamagishi, Bender, or Anderson et al. teach or suggest “wherein said operation instruction signals include translation instructions input by a user to move a first image with respect to *the image data obtained by said photographing unit for monitoring* after the first image and the image data obtained by said photographing unit for monitoring are displayed by the display unit” as recited in Claim 1. Since the cited references do not teach each and every element of amended Claim 1, Claim 1 (and Claims 2-7 dependent therefrom) is patentable over Yamagishi, Bender, and Anderson et al.

---

<sup>2</sup>See the outstanding Office Action at page 3, line 17 to page 4, line 12.

With regard to the rejection of Claim 6 as unpatentable over Yamagishi in view of Bender and further in view of Miyatake, it is noted that Claim 6 is dependent from Claim 1, and thus is believed to be patentable for at least the reasons discussed above. Further, it is respectfully submitted that Miyatake does not cure any of the above-noted deficiencies of Yamagishi and Bender. Accordingly, it is respectfully submitted that Claim 6 is patentable over Yamagishi in view of Bender and further in view of Miyatake.

As amended Claims 15, 17, and 19 recite similar elements to Claim 1, Claims 15, 17, and 19 are patentable over Yamagishi, Bender, and Anderson et al. for at least the reasons described above with respect to Claim 1.

With respect to the rejection of Claims 8, 16, 18, and 20 under 35 U.S.C. §103(a) as unpatentable over Yamagishi in view of Bender and further in view of Fukushima, it is respectfully submitted that Fukushima also does not teach or suggest that “said operation instruction signals include translation instructions input by a user to move a first image with respect to ***the image data obtained by said photographing unit for monitoring*** after the first image and the image data obtained by said photographing unit for monitoring are displayed by the display unit,” as recited in amended Claims 8 and 20, “said operation instruction signals include translation instructions input by a user to move a first image with respect to ***the image data obtained by said photographing means for monitoring*** after the first image and the image data obtained by said photographing means for monitoring are displayed by the display means,” as recited in amended Claim 16, or “simultaneously displaying a first image and ***image data obtained by a photographing unit for monitoring*** on a display unit;” and “translating the first image with respect to ***the image data obtained by said photographing unit for monitoring*** after the first image and the image data obtained by said photographing unit for monitoring are displayed by the display unit;” as recited in amended Claim 18. In fact, it is respectfully submitted that Fukushima does not teach or suggest operation

instruction signals including translation instructions input by a user to move a first image with respect to any other image. Consequently, it is further respectfully submitted that amended Claims 8, 16, 18, and 20 (and Claims 9-14 dependent therefrom) patentably define over Yamagishi in view of Bender and further in view of Fukushima.

New Claim 37 is supported at least by Claims 20 and 36. New Claim 37 recites in part:

said operation instruction signals include translation instructions input by a user to move first image data obtained by said photographing unit for monitoring with respect to second image data obtained by said photographing unit for monitoring after the first image data and the second image data are displayed by the display unit.

The outstanding Office Action cited Figure 14B of Yamagishi as describing this feature with respect to Claim 36. However, Figure 14B of Yamagishi only shows a *single* monitor image, not two monitor images as recited in new Claim 37. Moreover, as noted above, there is no motivation in either Bender or Anderson et al. to modify the device of Yamagishi to translate *a first monitor image with respect to a second monitor image*. Both Bender and Anderson et al. describe software that runs on a *PC*, which *cannot* provide any monitor image, much less move two monitor images with respect to each other. Finally, it is respectfully submitted that Fukushima also does not teach or suggest “translation instructions input by a user to move first image data obtained by said photographing unit for monitoring with respect to second image data obtained by said photographing unit for monitoring.” Therefore, none of Yamagishi, Bender, Anderson et al., or Fukushima teach or suggest “said operation instruction signals include translation instructions input by a user to move *first image data obtained by said photographing unit for monitoring* with respect to *second image data obtained by said photographing unit for monitoring*” as recited in new Claim 37. Therefore, Claim 37 is patentable over the cited references.

New Claim 38 is supported at least by Claims 18 and 32. New Claim 38 recites in part:

simultaneously displaying first image data obtained by a photographing unit for monitoring and second image data obtained by a photographing unit for monitoring on a display unit;

translating the first image data with respect to the second image data after the first image data and the second image data are displayed by the display unit;

The outstanding Office Action cited Figure 14B of Yamagishi as describing this feature with respect to Claim 32. However, Figure 14B of Yamagishi only shows displaying a *single* monitor image, not displaying two monitor images as recited in new Claim 38. Moreover, as noted above, there is no motivation in either Bender or Anderson et al. to modify the device of Yamagishi to translate *a first monitor image with respect to a second monitor image*. Both Bender and Anderson et al. describe software that runs on a *PC*, which *cannot* provide any monitor image, much less move two monitor images with respect to each other. Finally, it is respectfully submitted that Fukushima also does not teach or suggest either of these elements either. Therefore, none of Yamagishi, Bender, Anderson et al., or Fukushima teach or suggest “simultaneously displaying first image data obtained by a photographing unit for monitoring and second image data obtained by a photographing unit for monitoring on a display unit” or “translating the first image data with respect to the second image data after the first image data and the second image data are displayed by the display unit” as recited in new Claim 38. Therefore, Claim 38 is patentable over the cited references.

Accordingly, in view of the present amendment, no further issues are believed to be outstanding and the present application is believed to be in condition for formal allowance. An early and favorable action to that effect is respectfully requested.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.

*Edward Tracy*  
James J. Kulbaski  
Attorney of Record  
Registration No. 34,648

Edward W. Tracy, Jr.  
Registration No. 47,998

Customer Number

22850

Tel: (703) 413-3000

Fax: (703) 413 -2220  
(OSMMN 06/04)

I:\ATTY\ET\206154US\206154US.AMD3.15.07.DOC